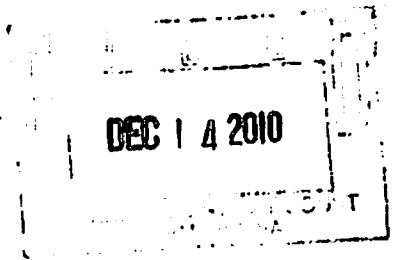


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



JOHN A. ALSTON,

Plaintiff,

v.

Civil Action No. 3:10CV757

UNDERSHERIFF FREE, et al.,

Defendants.

MEMORANDUM OPINION

By Memorandum Order entered on November 16, 2010, the Court conditionally docketed Plaintiff's action. On November 24, 2010, the November 16, 2010 Memorandum Order was returned to the Court by the United States Postal Service marked, "RETURN TO SENDER," and "Not Here." Plaintiff's failure to keep the Court apprised of his current address indicates his lack of interest in prosecuting the present action. See Fed. R. Civ. P. 41(b). Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

The Clerk is DIRECTED to send a copy of the Memorandum Opinion to Plaintiff.

It is so ORDERED.

_____/s/ *REP*_____
Robert E. Payne
Senior United States District Judge

Date: December 13, 2010
Richmond, Virginia